IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2233 OF 2007

The Secretary, .
Bharat Shikshan Prasarak Mandal ....Petitioners
V/s.
Asstt.Provident Fund Commissioner ....Respondents

Mr.Anand Kulkarni for the Petitioners.
Mr.Suresh Kumar for the Respondents.

CORAM : F.I. REBELLO &
R.M. SAVANT, JJ.
DATED : 10TH APRIL, 2007.

P.C. :

1. Rule. Heard forthwith.

2. The Petition is disposed of by issuing the following directions considering the statement made on behalf of the Petitioner that they are willing to deposit the balance amount of the employers' contribution within a reasonable time and in so far as the employees contributions are concerned, they have already applied to Respondent No.1 for waiver. The Respondents are protected by the order of attachment of the property including immovable property of the society. In the light of that the following directions :-

i). The Petitioners - Bharat Shikshan Prasarak Mandal to deposit the balance amount of the employers' contribution with the Respondents on or before 20.9.2007.

ii). The Respondents to consider the pending application of the society for waiver of the employees contribution as early as possible on or before 30.9.2007, if not already considered.

iii). The attachment on the immovable property would continue till the payment by the society of the employers' contribution and the decision of the Respondents on the employees' contribution.

iv). The attachment in so far as the bank accounts are concerned, is lefted. It is made clear that the amounts already transferred from the bank accounts of the society in favour of the Respondents is saved and the amounts would be adjusted against the employers' contribution of the society.

3. It is made clear that if simple interest is payable on account of delayed payment, the society is bound to pay the said interest. However, the coercive steps, stand stayed. Rule is made absolute accordingly, with no order as to costs.

(R.M. SAVANT, J.) (F.I. REBELLO, J.)